



THE LAW FIRM OF
THOMAS A. TARRO III, ESQ.
THE SUMMIT EAST — SUITE 330
300 CENTERVILLE ROAD
WARWICK, RHODE ISLAND 02886

THOMAS A. TARRO III
ttarro3rd@tarrolawfirm.com

(401) 737-7200
FAX: (401) 732-3362

ANTHONY S. BUGLIO
abuglio@tarrolawfirm.com

January 23, 2006

KRIS R. MACARUSO MAROTTI
kmarotti@tarrolawfirm.com

Dennis T. Grieco, II, Esq.
GIDLEY, SARLI & MARUSAK
One Turks Head Place, Suite 900
Providence, RI 02903

David W. Carroll, Esq.
ROBERTS, CARROLL, FELDSTEIN & PEIRCE, INC.
10 Weybosset Street, 8th Floor
Providence, RI 02903

RE: Crowe v. Marchand, et al
C.A. No. 05-0135

Dear Gentlemen:

Enclosed herewith please find Expert Disclosure of Dr. Rozmaryn along
with his report dated March 7, 2005.

Very truly yours,

Thomas A. Tarro, III

TAT/aat
Enclosures

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

DENISE CROWE

:

VS.

:

C.A. No. 05-098T

ROBERT C. MARCHAND, MD;
SOUTH COUNTY ORTHOPEDIC &
PHYSICAL THERAPY, INC.

:

:

:

PLAINTIFF'S RULE 26 EXPERT DISCLOSURE, LEO M. ROZMARYN,
M.D.

Pursuant to Federal Court Rules of Civil Procedure Rule 26, the undersigned, Leo M. Rozmaryn, M.D., states, as follows:

A. Curriculum Vitae is attached as Exhibit "1" and sets forth my qualifications and the publications I have authored within the past ten (10) years.

B. Attached as Exhibit "2" is a list of all the cases that I have testified in as an expert at trial or by deposition within the past ten (10) years.

C. Attached as Exhibit "3" is the list setting forth the compensation to be paid for study and testimony.

D. Attached as Exhibit "4" is a complete statement as of the date of this disclosure opinions as well as the documents and information considered by the undersigned to formulate opinions to be expressed and the basis and reason therefore subject to supplementation should additional facts be brought to the attention of the undersigned which derive from depositions and discovery conducted subsequent to this disclosure.

E. Attached as Exhibit "5" is a list of exhibits which may be used in support for opinions as well as illustrations prepared for trial.



Leo M. Rozmaryn, M.D.

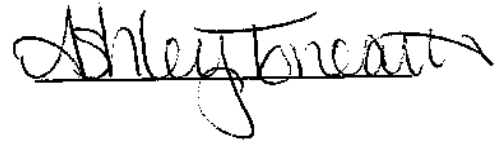
Dated: January 19, 2006

CERTIFICATION

I, the undersigned, hereby certify that I have sent a copy of the foregoing *Expert Disclosure* on the 23 day of January, 2006, to:

Dennis Grieco, Esq.
GIDLEY, SARLI & MARUSAK
One Turks Head Place, Suite 900
Providence, RI 02903

David Carroll, Esq.
Roberts Carroll Feldstein & Peirce
Ten Weybosset Street
Providence, RI 02903

A handwritten signature in black ink, appearing to read "Ashley Toncatt", with a stylized flourish at the end.

CURRICULUM VITAE

Leo M. Rozmaryn, M.D.

PERSONAL INFORMATION

Born:

■■■■
Brooklyn, New York

Residential:

801 Stonington Road
Silver Spring, Maryland 20902
301-593-6362
301-593-4663 Fax

Office Address:

The Orthopaedic Center
9711 Medical Center Drive
Suite 201
Rockville, Maryland 20850
301-251-1433
301-424-5266 Fax

January 1994

Family:

Spouse	Sharona
Children	Adina
	Yair
	Yakov

SSN:

■■■■■

MEDICAL LICENSES:

State of Maryland	D36613
State of Virginia	0101047775
Washington, D.C.	000055147

CERTIFICATION

Diplomat, The American Board of Orthopaedic Surgery	July 1991
Fellow, American Academy of Orthopaedic Surgeons	February 1993
Certificate of Added Qualification in Surgery for the Hand – The American Board of Orthopaedic Surgeons – Recertified	September 1992 September 2001

EDUCATION

Undergraduate	Queens College B.S. Degree	1973 – 1977
Medical School	Columbia University College of Physicians and Surgeons M.D. Degree	1977 – 1981
Internship	Montefiore Hospital and Medical Center	1981 – 1982

Exhibit 1

Residencies	Bronx Municipal Hospital Center Jacoby Hospital General Surgery	1982 – 1983
	Montefiore Hospital and Medical Center Orthopedics	1983 – 1987
	Bronx Municipal Hospital Center Jacoby Hospital Orthopedics	1983 – 1987
	Hospital of the Albert Einstein Medical Center Orthopedics	1983 – 1987
	North Central Bronx Hospital Orthopedics	1983 – 1988
Fellowships	Senior Annie C. Kane Hand Fellow Hand and Microvascular Surgery New York Orthopaedic Hospital Columbia Presbyterian Medical Center	1987 – 1988
	Columbia University Completed 100 hour laboratory course I In microsurgery at College of Physicians and Surgeons Columbia University, Harold M. Dick, M.D., Director	1987 – 1988
Academic Title	Clinical Assistant Professor of Orthopaedic Surgery Uniformed Services University of Health Science Center	April 1996

CURRENT HOSPITAL APPOINTMENTS

Shady Grove Adventist Hospital 9901 Medical Center Drive Rockville, Maryland 20850	1988-Present
Suburban Hospital 8600 Old Georgetown Road Bethesda, Maryland 20814	1988-Present
Surgery Center of Chevy Chase Bethesda, Maryland	2002-Present

AWARDS AND SCHOLASTIC HONORS

1977	Dean's List Queen's College
1977	Arthur Colwin Award for Academic Achievement in Biology
1977	Dr. Jonas E. Salk Scholarship City University of New York
1997	Governor's citation: State of Maryland at the 8 th Annual Governor's Conference on Health, Safety, and the Environment
2005	Public Service Medal for participation in "Operation Lifeline" Major Maryland Defense Force Hurricane Katrina relief effort, Maryland Dept. of Health and Mental Hygiene, September 2005.

PROFESSIONAL SOCIETIES

Fellow, American Academy of Orthopedic Surgeons	1993
American Society for Surgery of the Hand	1993
Montgomery County Medical Society	1988
Maryland State Medical Society	1988
Washington Orthopedic Society	1991
Eastern Orthopedic Society	1994
Performing Arts Medical Association	1991
Maryland State Committee for Medicine and the Performing Arts	1991
American Association for Hand Surgery	1994
National Capital Society Surgery of the Hand	1994
Robert E. Carroll Hand Club	1994

ORGANIZATIONAL ACTIVITIES

Montgomery County Medical Society - Young Physicians' Committee	1990 - 1991
Bethesda Naval Hospital - Volunteer consultant in hand surgery	1989 – 1991
Shady Grove Adventist Hospital - Medical Education Committee	1989 – 1992
- Infection Control Committee	1996 – 1997
- Strategic Pediatric Planning Committee	1996
Music Medicine Clearing House The Medical and Chirurgical Faculty of Maryland Advisory Board	1992 – present
Outcomes Study Committee American Society for Surgery of the Hand - Peter C. Amadio, M.D., Chairman	1995, 1996, 1997
Regional Representative of the American Foundation For Surgery of the Hand, Baltimore-Washington area	1996 – 1997
Advisory Board – Governor's Task Force on Ergonomics, University of Maryland School of Occupational Medicine Received Governor's Citation	1996
Secretary – Treasurer, The Washington Hand Society Vice-President, The Washington Hand Society	1999 – 2000 2000 - 2001
President, Washington Society for Surgery's of the Hand	2002 – 2003
Vice President – The Kemp Mill Synagogue	2000 – 2001

RESEARCH

1. Columbia University College of Physicians and Surgeons, New York, N.Y. Dean's Summer Fellowship Program: Research project on hemoglobin genetics in thalassemia major. Sponsor: Arthur Banks, M.D., Department of Genetics 6/78.
2. Senior Project: Contact Areas in Total Knee Arthroplasty Under Variable Loading Conditions. Sponsor: Nas Eftekhari, M.D., Professor of Orthopedics, College of Physicians and Surgeons, Columbia University, N.Y.

ARTICLES PUBLISHED

1. Rozmaryn, L.M., Carpal Tunnel Syndrome Clinical Perspectives: Clinical Currents: Shady Grove Adventist Hospital, Vol. 4, No. 1, Feb. 1991.
2. Rozmaryn, L.M., Sadler, A.H., Dorman, H.D.: Intraosseous Glomus Tumor in the ulna: A Case Study. Clin. Orth. No. 1987; 220:126-129
3. Rozmaryn, L.M.: Upper Extremity Problems in Performing Artists. Maryland Medical Journal, 1993; 42: 255.
4. Rozmaryn, L.M.: Synergistic Necrotizing Cellulitis in the Hand of a Renal Dialysis Patient: A Case Report. The Journal of Hand Surgery, 1995; 20A: 500-501.
5. Rozmaryn, L.M.: Tendon Graft Reconstruction of Extensor Hood Deficits with Subluxation. The Journal of Hand Surgery, 1995; 20A: 841-843.
6. Rozmaryn, L.M.: The Workplace Athlete. Maryland Medical Journal, 1996; 45: 8: 47-654.
7. Rozmaryn, L.M.: Carpal Tunnel Syndrome: A Comprehensive Review. Current opinion in Orthopaedics, 1997, 8; IV: 33-43.
8. Rozmaryn, L.M., Schwartz, A.M.: Treatment of Subungual Myxoma Preserving the Nail Matrix: A Case Report. The Journal of Hand Surgery, 1998; 23A: 178-180.
9. Rozmaryn, L.M., Dovel S., et.al.: Nerve and Tendon Gliding Exercises and The Conservative Management of Carpal Tunnel Syndrome. The Journal of Hand Therapy, Jul-Sep 1998, Vol. 11, No. 3.
10. Silver, J.K., Rozmaryn, L.M.: Overuse Tendinitis of the Intrinsic Muscles. Orthopedics, Aug. 1998, Vol. 21, No. 8.
11. Rozmaryn, L.M.: Acute Median Neuropathy. Correspondence Newsletter, American Society for Surgery of the Hand, 1998-50.
12. Rozmaryn, L.M.: Carry On Baggage: A Health Hazard. Flight Safety and Health – Human Factors and Aviation Medicine, Vol. 45, No. 3, May – June 1998.
13. Wei N., Rozmaryn, L.M., et. al.: Arthroscopic Synovectomy of the Metacarpophalangeal Joint in Refractory Rheumatoid Arthritis: A Technique. Journal of Arthroscopy, Vol. 15, No. 3, April 1999.
14. Rozmaryn, L.M., Wei, N.: Metacarpophalangeal Arthroscopy: Indications and Technique. Journal of Arthroscopy, Vol. 15, No. 3, April 1999.

15. Rozmaryn, L.M.: Iatrogenic Upper Extremity Injuries: Medoptions Newsletter Website; Spring 1999.
16. Rozmaryn, L.M., Lamott, K., et. al.: Metacarpophalangeal Arthroscopy: Technique and Indications. Techniques in Hand and Upper Extremity Surgery 4(3): 167-175, 2000.

BOOK CHAPTERS

1. Tendinopathy in the Workplace; Book Chapter in "Tendon Injuries," W. Leadbetter, Editor, Fall 2004
2. Rozmaryn, L.M.: The Hand and Wrist in a Manual of Orthopaedic Terminology, Blauvelt, C.T., Nelson, F.T. (eds), Mosby – Year Book, Inc., St. Louis, MO, 1994, pg. 267-297. 5th Edition, 6th Edition, 1998
3. Rozmaryn, L.M.: The Aging Wrist: An Orthopaedic Perspective in Orthopaedic Assessment and Treatment of the Geriatric Patient, Lewis, C.B., Knortz, K.A. (eds) – Mosby – Year Book, Inc., St. Louis, MO, 1993.
4. Rozmaryn, L.M.: Essentials of Physical Medicine and Rehabilitation, Silver, J., M.D., Frontera, W., M.D. (eds.), Chapters 31, 32, 38 and 39, Hanley and Belfus, Philadelphia, Pennsylvania, 2002.

IN PUBLICATION

1. MP Arthroscopy: Technique, Indications and Follow Up, L.M. Rozmaryn, M.D., N. Wei, M.D. Spring 2000.

EXHIBITS DEVELOPED

1. Early Controlled Mobilization in the Treatment of PIP Joint Fractures. Leo M. Rozmaryn, M.D., E. Othman, O.T.R. Scientific Exhibit, American Society for Surgery of the Hand Annual Meeting, Seattle Washington, September 1989.
2. An Anatomic Cause for Familial Carpal Tunnel Syndrome: Leo M. Rozmaryn, M.D., Melvin P. Rosenwasser, M.D., Read at Alumni Day, New York Orthopaedic Hospital, April 15, 1988. Poster Exhibit, American Society for Surgery of the Hand Annual Meeting, September 1989, Seattle Washington.
3. Acute Post Traumatic Median Neuropathy in Children; Leo M. Rozmaryn, M.D., Poster Exhibit, American Society for Surgery of the Hand 51st Annual Meeting, Nashville, Tennessee, October 1996.
4. Metacarpophalangeal Arthroscopy in Rheumatoid Arthritis: Leo M. Rozmaryn, M.D., Nathan Wei, M.D., Poster Exhibit, American College of Rheumatology Meeting, San Diego, CA, October 1998.
5. Metacarpophalangeal Arthroscopy. Accepted for poster exhibit at Arthroscopy Association of North America, 1999 Annual Meeting. Vancouver BC, April 1999.

STATE AND NATIONAL PRESENTATIONS

1. COX-2 Inhibitors – Mobic Presentation – Wyoming – November 16, 17 and 18 2004

2. Extensive Radial Resection: A Treatment for Radial Wrist Pain. Robert E. Carroll, M.D., Leo M. Rozmaryn, M.D., John C. Chance, M.D. Read at New York Orthopaedic Hospital Alumni Day, April 15, 1988; and the New York Hand Society on May 23, 1988. Presented at the American Society for Surgery for the Hand; Annual Meeting, September 1989, Seattle, Washington.
3. Post-traumatic Elbow Contractures: A Lateral Release with Ulnar Nerve Transposition. Melvin P. Rosenwasser, M.D., Leo M. Rozmaryn, M.D., Michelle Glasgow, M.D. Presented at The American Academy of Orthopaedic Surgery Annual Meeting, February 1989, Las Vegas, Nevada.
4. Arthroscopy of the Wrist in the Diagnosis and Treatment of Chronic Idiopathic Wrist Pain. Melvin P. Rosenwasser, M.D., Eric C. Carlson, M.D., Leo M. Rozmaryn, M.D. Presented at Alumni Day, New York Orthopaedic Hospital, April 15, 1988.
5. Early Experience with Endoscopic Carpal Tunnel Release? A Learning Curve. Leo M. Rozmaryn, M.D. Presented at Eastern Orthopedic Association. October 1993, Orlando, Florida.
6. Nerve and Tendon Gliding Exercises and the Conservative Management of Carpal Tunnel Syndrome, Leo M. Rozmaryn, M.D., Sam Dovel, O.T.R., Esther Rothman, O.T.R./M.S., Karen Gorman, O.T.R., Kathleen M. Olvey, B.S. Presented at the Robert E. Carroll Club Annual Meeting, January 26, 1995, Barbados.
7. Nerve and Tendon Gliding Exercises and the Conservative Management of Carpal Tunnel Syndrome, Leo M. Rozmaryn, M.D., Sam Dovel, O.T.R., Esther Rothman, O.T.R./M.S., Karen Gorman, O.T.R., Kathleen M. Olvey, B.S. Presented at the Performing Arts Medicine Association, July 23, 1995, Aspen, Colorado.
8. Nerve and Tendon Gliding Exercises and the Conservative Management of Carpal Tunnel Syndrome, Leo M. Rozmaryn, M.D., Sam Dovel, O.T.R., Esther Rothman, O.T.R./M.S., Karen Gorman, O.T.R., Kathleen M. Olvey, B.S. Presented at the American Association for Hand Surgery, January 13, 1996, Palm Springs, California.
9. The Ergonomic Workplace. Richard Norris, M.D., Mary Shaheen, O.T., Leo M. Rozmaryn, M.D. Presented at the NRA Mid-Atlantic Conference in Baltimore, Maryland, April 2, 1996.
10. Development of Outcomes Study Model for Performing Artists. Leo M. Rozmaryn, M.D. Presented at the Performing Arts Medicine Association, Aspen, Colorado, July 18, 1996.
11. Physical Rehabilitation of Thoracic Outlet Syndrome and Carpal Tunnel Syndrome. Hand Therapy Workshop, lecture and instructional video tape. American Association for Hand Surgery Annual Meeting, Boca Raton, Florida, January 10, 1997.
12. Ergonomic Safety in Laboratory. Talk and videotape presentation. Workplace Dynamics. Robert E. Carroll Hand Club Annual Meeting, Napa Valley, California, May 20, 1997.
13. Metacarpophalangeal Arthroscopy: Technique and Indications. Talk and videotape presentation. Robert E. Carroll Hand Club Annual Meeting, Puerto Rico, February 1998.
14. Ergonomics Workplace Safety and Productivity Workshop. Speaker and Moderator. 14th Annual National Meeting, Volunteer Protection Programs Participants Association, August 27, 1998, Chicago, Illinois.
15. Carry-On Baggage: An Every Day Hazard. Talk and videotape presentation, Robert E. Carroll Hand Club, April 2000, Scottsdale, Arizona.
16. PowerPoint presentation and lecture on Metacarpophalangeal Arthroscopy. IFSSH POST-CONGRESS Meeting: Mini-Invasive Surgery: Looking for a Definition, Rome, Italy, June 2001.

17. Instructional course lecture ASSH annual meeting. Advanced Techniques in Arthroscopic Surgery of the Hand and Wrist. Instructor Phoenix, AZ September 2002
18. Quantitative Measurement of Abduction and Adduction of the thumb. American Association for Hand Surgery. Annual meeting January 2004. Palm Springs, CA.

LOCAL PRESENTATIONS

1. Outcomes in Hand Surgery, Montgomery Surgery Center: In-Service, June 7, 1989.
2. Congenital Hand Deformities, Radiology Grand Rounds, Georgetown University Hospital, December 9, 1998.
3. "Technique and Indications for Wrist Arthroscopy", OR Symposium Suburban Hospital, February 14, 1989.
4. Neurology of the Upper Extremity, Grand Rounds, Shady Grove Adventist Hospital, March 2, 1989.
5. Common Hand Problems in the Office, Medical Grand Rounds, Suburban Hospital, March 28, 1989.
6. Technique and Indications of Wrist Arthroscopy, case presentation, Hand board Bethesda Naval Hospital, June 28, 1989.
7. "Upper Extremity Problems in Performing Artists", University of Maryland, National Meeting of the American String Teacher's Association, Department of Music, June 15, 1990.
8. "Compressive Neuropathies in the Upper Extremity", Orthopaedic Grand Rounds, Howard University Hospital, February 1990.
9. "The Acute Care of Hand Trauma", Emergency Medicine Grand Rounds, Shady Grove Adventist Hospital, March 15, 1990.
10. "Applied Anatomy, Kinesthesiology and Biomechanics of the Hand", Seventh Annual Physical Medicine Course, Walter Reed Army Hospital, April 5, 1990.
11. Fifteenth Annual Washington Hand and Wrist Symposium, Washington, D.C., May 12-14, 1990. Faculty member and lecturer.
12. Participated in Resident Education Lecture Services in Hand Surgery, Georgetown University Hospital, Department of Orthopaedics, February 1991.
13. "Management of Open Injury to the Hand", Orthopaedics Grand Rounds, Walter Reed Army Hospital, July 1991.
14. "Principles of Management: Hand Trauma", Orthopaedic Grand Rounds, Howard University Hospital, May 1991.
15. "New Techniques in Endoscopic Hand Surgery", In-Service Teaching Rounds, Department of Orthopaedics, Shady Grove Adventist Hospital, May 1991.
16. "Anatomy and Physiology Kinesiology of the Hand", In-Service Teaching Rounds, Suburban Hospital, Spring and Summer, 1991.

17. "Upper Extremity Disorders in Performing Artists", Performing Arts Medicine Regional Symposium, January 22, 1992.
18. "Performing Arts Medicine", Grand Rounds, Shady Grove Adventist Hospital, June 4, 1992.
19. Management of the Rheumatoid Hand, Orthopaedic Grand Rounds, Howard University Hospital, April 15, 1992.
20. "Principles of Tendon Transfers", Orthopaedic Grand Rounds, Providence Hospital, June 17, 1992.
21. "Clues and Cues in Performing Arts Medicine", Symposium, Annual Meeting, Medical Chirurgical Society of the State of Medicine, University of Maryland, College Park, Maryland, March 25, 1993.
22. "Management of Distal Radius Fractures", Orthopaedic Grand Rounds, Howard University Hospital, March 31, 1993.
23. "Cumulative Trauma Disorders – Dialogue." WGMS Radio Show, April 5, 1993.
24. "Cumulative Trauma Disorders, Diagnosis and Prevention." NIST, Bechtel "Lunchtime" lecture to employees, Fall 1993.
25. "Upper Extremity Disorders in Performing Artists", University of Maryland at College Park, CME Category I Lecture Series, January 1994.
26. "Medical Management of Repetitive Motion Injuries", National Hospital for Orthopaedics and Rehabilitation, CME Program, February 14, 1994.
27. "Carpal Tunnel Syndrome", Epidemiology, Diagnosis, Management and Treatment – lecture series to Food and Drug Administration. November 7, 1994, March 13, 1995 and May 15, 1995.
28. "Hand Surgery Outcomes in Musicians", Performing Arts Medicine III, Pain and the Performer. A Regional Conference. Medical and Chirurgical Faculty of Maryland. March 31, 1995.
29. "Upper Extremity Problems in Keyboard Musicians", given to the Washington Chapter of the American Guild of Organists. Annandale, Virginia, May 8, 1995.
30. "Congenital Hand Differences", Orthopaedic Grand Rounds, Shady Grove Adventist Hospital, January 18, 1996.
31. "Repetitive Strain Injury", Leo M. Rozmaryn, M.D., Presented at The Injured Workers Insurance Fund, February 21, 1996.
32. "Repetitive Strain Injury", Leo M. Rozmaryn, M.D., Presented at the Department of Justice, March 11, 1996.
33. Quoted "Repetitive Stress Injury: A Modern Malady", by Sarah Glazer, in the Washington Post, March 12, 1996.
34. Lecture Series – Hagerstown Chapter of the Maryland Society of Radiologic Technologists, Hagerstown Junior College.
 - a. Distal Radius Fractures: September 1995
 - b. The Rheumatoid Hand and Wrist: September 11, 1996
35. Maryland/Governor's Task Force on Ergonomics – University of Maryland Training Center, Baltimore, Maryland, September 27, 1996.

36. National Association of Orthopaedic Nurses, Maryland Chapter meeting, February 6, 1997; Carpal Tunnel Syndrome; A Rehabilitation Perspective.
37. Carpal Tunnel Syndrome in Pregnancy, Grand Rounds, Department of OB/GYN Shady Grove Adventist Hospital, February 20, 1997.
38. Small Group Instructor – Occupational Medicine at the University of Maryland School of Medicine, April 30, 1997.
39. Eighth Annual Governor's conference on Health Safety and the Environment – Workshop on cumulative trauma disorders, April 30, 1997.
40. Upper Extremity Trauma in Children: Pediatric Emergency Room Rounds: Shady Grove Adventist Hospital, May 28, 1997
41. Acute Posttraumatic Median Neuropathy: Read at the Washington Hand Society Meeting: September 17, 1997.
42. Management of Distal Radius Fractures: Grand Rounds Shady Grove Adventist Hospital: September 18, 1997.
43. Congenital Hand Anomalies: Pediatric Grand Rounds: Shady Grove Adventist Hospital: October 6, 1997.
44. Upper Extremity Problems in Performing Artists – October 11, 1998, Adult Music Student Forum, Chevy Chase, Maryland.
45. Management of Distal Radius Fractures – Teaching Rounds: George Washington University Family Practice Residency Program, Rockville, Maryland, January 6, 1999.
46. Rheumatoid Arthritis in the Hand – Teaching Rounds: George Washington University Family Practice Residency Program, Rockville, Maryland, January 20, 1999.
47. Metacarpophalangeal Arthroscopy – presented at the Washington Hand Society, January 20, 1999.
48. Management of the Arthritic Hand – presented at the National Association of Orthopedic Nurses Workshop, Washington Adventist Hospital, Takoma Park, Maryland, October 29, 1999.
49. National Institute of Health – lectures series on Carpal Tunnel Syndrome – Identification and Prevention – Food and Drug Administration, Center for Biologics Evaluation and Research, Rockville, Maryland, March 8 and 29, 2000.
50. Cumulative Trauma Disorders of the Upper Extremity - Wellness Program – NCI Frederick Cancer Research and Development Center, Fort Detrick, Frederick, Maryland.
51. Public lecture, Gaithersburg Hilton: Survey of Hand Surgery for Lay Persons, September 12, 2000.
52. Lecture on Rheumatoid Arthritis: Shady Grove Adventist Hospital – Surgical Department, March 16, 2001.
53. "Arthritis and Management of the Hand", lecture for Pfizer Pharmaceuticals, October 2001 and February 2002, Bethesda, Maryland. October 2003.

10. Instructor, University of Maryland School of Occupational Medicine, Spring Medical School Course: April 27-29, 1998 – Site visit General Motors Truck Division, Baltimore, Maryland.
11. May 29, 1998 – Wellness and Ergonomics in the Laboratory – NCI – Fort Detrick 1998 Research Festival and Health Fair.
12. Macneil-Lehrer Hour, National Television Program Panelist for the “Carry-On Bags: An Everyday Risk”, project, August 20, 1999.
13. Ergonomic consultant, The Maryland Jockey Club and Laurel Race Track, Laurel, Maryland – January – April 2000.
14. March 8 and 29, 2000 – “Carpal Tunnel Syndrome” – A unique approach to identify and prevent carpal tunnel syndrome - Food and Drug Administration, Center for Biologics Evaluation and Research, Rockville, Maryland.
15. August 3, 2000 – Cumulative trauma disorders of the upper extremity, Wellness Program – NCI Frederick Cancer Research and Development Center, Fort Detrick, Frederick, Maryland.
16. Ergonomic Consultant to the American Health Assistance foundation. July 2003. Janet Michaels, CEO of the Annual Health Assistance Foundation. Clarksburg, Maryland 20871.



**The
Orthopaedic
Center, P.A.**

Comprehensive Orthopaedic Care
and Sports Medicine for
Children and Adults

John J. Sunson, M.D.
Adult and Pediatric
Sports Medicine and
Orthopaedic Surgeon

Rozmaryn, M.D.
Pediatric
Surgeon of the Hand
and Wrist Surgeon

Brian J. Boden, M.D.
Adult and Pediatric Sports Medicine
Orthopaedic and Reconstructive
Surgeon of the Knee and Hip

Charles P. Brown, M.D.
Adult and Pediatric Sports Medicine
Orthopaedic and Reconstructive
Surgeon of the Knee and Hip

John J. Sunson, M.D.
Adult and Pediatric Sports Medicine
Orthopaedic and Reconstructive
Surgeon of the Knee and Hip

John J. Sunson, M.D.
Adult and Pediatric Sports Medicine
Orthopaedic and Reconstructive
Surgeon of the Knee and Hip

John J. Sunson, M.D.
Adult and Pediatric Sports Medicine
Orthopaedic and Reconstructive
Surgeon of the Knee and Hip

John J. Sunson, M.D.
Adult and Pediatric Sports Medicine
Orthopaedic and Reconstructive
Surgeon of the Knee and Hip

January 19, 2006

VIA FEDERAL EXPRESS

The Law Firm of Thomas A. Tarro, III, Esq.
The Summit East - Suite 330
300 Centerville Road
Warwick, Rhode Island 02886

RE: Denise Crowe

Dear Mr. Tarro:

Enclosed please find Exhibits 1 (C.V.) and 3 (Legal Fee Schedule) as requested in your November 07, 2005 letter regarding Rule 26 of Civil Procedure.

Exhibit 2 is not enclosed because it does not exist. No record has been kept of Dr. Rozmaryn's trial appearances and depositions.

Sincerely,

Joan Mayo
Joan Mayo, Administrative Assistant

Exhibit 2



The Orthopaedic Center, P.A.

9711 Medical Center Drive
Suite 201
Rockville, MD 20850
Phone: (301) 251-1433
Fax: (301) 424-5266
www.orthoctr.com

John T. Stinson, M.D.
Leo M. Rozmaryn, M.D.
Barry P. Boden, M.D.
Sunjay Berdia, M.D.
Ali Moshirfar, M.D.

LEGAL FEE SCHEDULE

Court Testimony: \$5,000.00 – for ½ day

(This is only for Montgomery County, District of Columbia, Prince George's County Frederick County, and Northern Virginia)

NOTE:

- 1.) Fee for other locations will be determined on an individual basis depending upon distance traveled.
- 2.) Fee for court testimony over 4 hours will be \$1,000.00 per hour.
- 3.) Fee for court testimony must be paid two weeks prior to testimony.

Deposition/Video Depositions: \$600.00 per hour, 1st hour, or any portion thereof.

NOTE:

- 1.) A \$600.00 deposit is required to schedule a deposition. This is refundable if we are notified of the cancellation one week or more prior to schedule date.

Pre-Trial/ Pre-Deposition Conference: \$350.00 per half hour

CHART REVIEWS -- \$500.00 per hour. Additional \$300 for written summary.

NOTE:

- 1.) A \$175.00 deposit is required to schedule a pre-trial conference. This is refundable if we are notified of the cancellation one week or more prior to the scheduled date.

REFUND POLICY:

- 1.) 100% of court testimony fee will be refunded if we are notified **7 working days or more** prior to scheduled court testimony.
- 2.) 50% of court testimony fee will be refunded if we are notified within **10 working days** of scheduled court testimony due to loss of income to our practice.
- 3.) Because of potential miscommunication and ensuing cost to our office, we will accept only a certified letter which has been received by our office **10 days prior** to scheduled appearance, or a FAX transmission followed by a telephone call for confirmation 10 days prior to scheduled appearance.

EXHIBIT "4"

1. As a medical expert, I have reviewed the following documents and materials to date:

a) X-ray Films:	10/20/02 11/05/02 12/26/05 04/11/03 07/24/03
b) MRI Film:	04/12/02
c) <u>Medical Provider</u>	<u>Date of Service</u>
South County Hospital 101 Kenyon Avenue Wakefield, RI 02879	10/20/02
Dr. Robert C. Marchand One High Street Wakefield, RI 02879	10/21/02 11/05/02 11/14/02 12/26/02 01/16/03
Rick Moffitt, P.A. South County Orthopedics & Physical Therapy, Inc. One High Street Wakefield, RI 02879	11/05/02 12/26/02
X-Ray Associates 481 Kingstown Road Wakefield, RI 02879	11/12/02
South County Orthopedics & Physical Therapy, Inc. One High Street Wakefield, RI 02879	11/21/02 11/26/02 12/03/02 12/05/02 12/10/02 12/12/02

Exhibit 4

12/17/02
12/19/02
12/27/02
12/31/02
01/02/03
01/07/03
01/09/03
01/14/03
01/21/03
01/23/03
01/28/03
01/30/03
02/04/03
02/06/03
02/11/03
02/13/03
02/18/03
02/20/03
02/25/03
02/27/03
03/04/03
03/13/03
03/18/03
04/30/03
05/02/03
05/05/03
05/07/03
05/09/03

Dr. David Burns, D.O.
South County Orthopedics &
Physical Therapy, Inc.
One High Street
Wakefield, RI 02879

04/11/03

Edward Akelman, M.D.
Rhode Island Hospital
593 Eddy Street
Providence, RI 02903

04/24/03

Rhode Island Hospital
Surgery
593 Eddy Street

05/13/03

Providence, RI 02903

Rhode Island Hospital	5/29/03
593 Eddy Street	6/26/03
Providence, RI 02903	7/24/03
	8/7/03-9/29/03
	(physical therapy)
	8/21/03
	10/3/03
	(occupational therapy)
	10/17/03
	(occupational therapy)
	11/6/03
	12/29/03
	(occupational therapy)
	1/2/04-1/26/04
	(occupational therapy)

d) Expert Disclosure of Defendant Dr. Marchand, dated September 26, 2005.

e) Deposition of Dr. Richard Black and all the exhibits attached thereto, dated October 6, 2005.

f) Deposition of Dr. James P. Omanski and all the exhibits attached thereto, dated October 6, 2005.

g) Deposition of Dr. David Burns and all the exhibits attached thereto, dated October 19, 2005.

h) Deposition of Dr. Edward Akleman and all the exhibits attached thereto, dated October 18, 2005.

i) Deposition of Richard Moffit, PT and all the exhibits attached thereto, dated October 20, 2005.

2. The opinions set forth herein are based upon a reasonable degree of medical certainty.

3. A review of the 10/20/04 x-ray indicates:

- a) Angulated fracture
- b) Widening of scapholunate joint

4. The x-ray films of 11/5/02, 12/26/02, and 4/11/03 indicate widening of the scapholunate joint and angulated fracture.

5. The widening of the scapholunate joint indicates a tear of the scapholunate ligament.

6. The tear of the scapholunate ligament is evident in:

X-ray Films:	10/20/02
	11/05/02
	12/26/05
	04/11/03

MRI Film:	04/12/02
-----------	----------

7. The MRI of 11/12/02 show widening of scapholunate joint and absence of scapholunate ligament which is indicative of tear of scapholunate ligament.

8. The MRI of 11/12/02 show fluid accumulation adjacent to ulnar bone which indicates a tear of the triangular fibrocartilage.

9. On 10/21/02, Dr. Marchand failed to diagnose a scapholunate dislocation and incorrectly diagnosed a non displaced distal radius fracture.

10. Dr. Marchand is incorrect in his diagnosis because there is greater than a 10 degree dorsal angulation of the distal radius articular surface. Furthermore, there is a greater than 5 mm of widening of the scapholunate articulation.

11. The MRI of 11/12/02 shows evidence considerable widening of the scapholunate joint with an absence of the scapholunate ligament which is indicative of a ligament tear.

12. The MRI of 11/12/02 shows evidence of tear of triangular fibrocartilage.

13. The appropriate course of treatment on 10/21/02 and no later than 11/14/03 would have been operative repair of the fracture and scapholunate ligament and possibly the triangular fibrocartilage.

14. On 11/14/02, Dr. Marchand prescribed a conservative course of treatment consisting of wrist splint, physical therapy and medication.

15. The course of treatment prescribed by Dr. Marchand was a deviation from acceptable medical care provided by orthopedic specialists for the following reasons:

- a) Operative treatment was required to achieve a normal result.
- b) A delayed surgery resulted in a salvage type of operation, the consequence of which were greater loss of mobility and flexion in the patient's wrist and far greater likelihood of post-surgical pain.

16. The applicable standard of care would have been operative treatment consisting of:

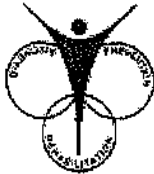
- a) Primary repair of the scapholunate ligament
- b) Capsulodesis
- c) Pinning

17. The operative treatment should have been performed before the patient developed symptoms of RSD.
18. After the diagnosis of RSD was made, the patient should have undergone a more extensive work up such as a bone scan and electrodiagnostic tests looking for a post-traumatic carpal tunnel syndrome.
19. The surgery performed by Dr. Akleman on 5/13/03 was a salvage type surgery to give the patient some sort of result that is workable so that she could get on with her life and to minimize the disability.
20. If the surgery had been performed on in October 2002, the objective was to achieve normal functioning of the right wrist.
21. The deviation in the standard of care by Dr. Marchand resulted in a more extensive surgery consisting of a fusion, which resulted in a 50 percent loss of mobility (flexion/extension/movement) of the right wrist.
22. The fusion increased the patient's impairment and future disability and could have been avoided if surgery was performed in October 2002.

EXHIBIT "5"

Photocopy of x-rays	10/20/02	
	11/05/05	
	12/26/02	
	04/11/03	
	07/24/03	
Photocopy of MRI film	11/12/02	
	Image 117 SER 1-8	
	Image 104 SER 1-7	
Colorized Illustrations		
	X-ray 10/20/02	
	MRI 11/12/02	
	Right Frozen Shoulder	
	Operative Procedure	05/13/03
Exhibits Attached to Depositions		

Exhibit 5



The Orthopaedic Center, P.A.

9711 Medical Center Drive
Suite 201
Rockville, MD 20850
Phone: (301) 251-1433
Fax: (301) 424-5266
www.orthoctr.com

John T. Stinson, M.D.
Leo M. Rozmaryn, M.D.
Barry P. Boden, M.D.
Sunjay Berdia, M.D.
Ali Moshirfar, M.D.

March 7, 2005

Kris Macaruso Marotti, Esq.
300 Centerville Road
Warwick, RI 02886-0200

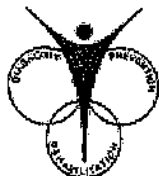
RE: CROWE, DENISE

Dear Ms. Marotti:

I have been asked to review the case of Ms. Denise Crowe with regards to whether or not the standard of care had been breached regarding the care afforded her by Dr. Robert Markham.

As you know, Ms. Denise Crowe was injured in a rollerblading accident on October 20, 2002. X-rays from that time revealed a displaced and dorsally angulated distal radius fracture, a scapholunate dissociation and the beginnings of a the development of a dorsal intercalated instability pattern, which was treated nonoperatively in a cast and allowed to heal with a persistent dorsal angulation of the distal radius and the development of a static scapholunate dissociation with a dorsal intercalated segment instability pattern requiring an eventual scaphocapitate fusion approximately seven months later. Apparently, Dr. Markham noted that the patient has scapholunate dissociation one month after the initial injury and it was decided to continue nonoperative treatment for this patient.

Of interest is the following: Despite the fact that the original x-rays showed the scapholunate dissociation, no mention of it is made in the emergency room record and the office note dated 10/21/02 shows that his impression was a nondisplaced distal radius fracture. I disagree with that as there is greater than a 10-degree dorsal angulation of the distal radius articular surface. To say that this is nondisplaced is simply not correct. There is no mention of the scapholunate ligament. The note that was rendered on November 5 showed clinically the scaphoid looks fine, and there is a little widening of the scapholunate joint. In reality, there is greater than 5 mm of widening of the scapholunate articulation and that is never expressed. The MRI dated November 12, 2002 showed "evidence of considerable widening of the scapholunate joint with a poorly defined ligament at this position. There was also evidence of a tear of the triangular fibrocartilage complex." Despite this, Dr. Markham's note dated November 14, 2002 indicated



The Orthopaedic Center, P.A.

9711 Medical Center Drive
Suite 201
Rockville, MD 20850
Phone: (301) 251-1433
Fax: (301) 424-5266
www.orthoctr.com

John T. Stinson, M.D.
Leo M. Rozmaryn, M.D.
Barry P. Boden, M.D.
Sunjay Berdia, M.D.
Ali Moshirfar, M.D.

RE: CROWE, DENISE

Page 2

that he would favor conservative treatment. However, the option of reconstructing the ligament was outlined to her. It is critical to note that the possibility of a ligament reconstruction was outlined to her. However, there was an error in judgement here in that the operative treatment would have been the "conservative path" in this case, as the best chance for reconstitution of the wrist kinematics is a direct repair of the scapholunate ligament with a dorsal capsulodesis. This would have afforded the patient the best chance of recovery. Traditionally, I feel that the distal radius should have been realigned into a more anatomic position.

She began physical therapy at the end of November 2002. By the end of December, she was noted to have weakened grip, swollen fingers and dramatically increased pain with the presumptive diagnosis of "reflex sympathetic dystrophy." She continued physical therapy and by mid-January 2003, she has "significant RSD symptomatology" with worsening of the condition despite the fact that she had been placed on Elavil on the previous visit. She was given an increase in her Elavil. By February 2003, she was noted to also have dysfunction in her shoulder and elbow. She continued with physical therapy. In April 2003, she was noted to have problems with her wrist when she rolled her wrist from side-to-side and was noted to have "general carpal instability." Dr. Burns referred her for hand surgery evaluation at that time.

She was referred to and seen by Dr. Edward Ackerman who, in May 2003, had the patient undergo a right carpal tunnel release, scaphocapitate fusion, extensor pollicis longus transposition and dorsal ulnar capsular release. I believe, in reviewing this case, there was a great deal that was missed by the primary treating physician, Dr. Robert Marchand, with regards to Ms. Denise Crowe's condition. I believe the responsibility is Dr. Marchand's, and not the physical therapist.

A thorough review of this patient's original x-rays would have revealed not only a scapholunate dissociation but also a dorsally-angulated distal radius fracture that, in my opinion, was angulated of what is today considered acceptable. By virtue of the fact that a carpal tunnel release was eventually performed, it is quite possible that her "reflex sympathetic dystrophy" may well have been due to an acute then later subacute post-traumatic carpal tunnel syndrome which is quite common in distal radius fracture. After Dr. Marchand was apprised of



The Orthopaedic Center, P.A.

9711 Medical Center Drive
Suite 201
Rockville, MD 20850
Phone: (301) 251-1433
Fax: (301) 424-5266
www.orthoctr.com

John T. Stinson, M.D.
Leo M. Rozmaryn, M.D.
Barry P. Boden, M.D.
Sunjay Berdia, M.D.
Ali Moshirfar, M.D.

RE: CROWE, DENISE

Page 3

the fact by Mr. Moffat that the patient had a scapholunate dissociation, it was elected not to treat this patient for this problem in a definitive way when a soft tissue procedure may have sufficed. This resulted in the patient requiring a scaphocapitate fusion later which is a far more aggressive treatment and much more limited and "salvage type" result. After the diagnosis of reflex sympathetic dystrophy was made, the patient should have undergone a more extensive workup for this such as a bone scan and electrodiagnostic tests looking for a post-traumatic carpal tunnel syndrome which was not done. In fact, even in the final films after the scaphocapitate fusion had been performed, the underlying malunion of the distal radius still had not been addressed. In general, it is quite possible to get a reflex sympathetic dystrophy after a distal radius fracture even with the best of care and it may be difficult to connect the mere fact that patient had nonoperative treatment for this problem with the development of the RSD. In general, RSD develops in a distal radius fracture when there is some kind of concomitant nerve injury. This should have been worked up more thoroughly.

It is therefore my opinion that the community standard for the treatment of this distal radius fracture, scapholunate dissociation and possible post-traumatic median neuropathy had been indeed breached and that this patient's long-term final outcome could have been altered by more definitive early treatment.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'L. Rozmaryn', with a stylized flourish extending from the end.

Leo M. Rozmaryn, M.D.

LMR/lis